

Serial No.: 10/586,955
Examiner: Soumya Dasgupta
Reply to Office Action Mailed February 10, 2009
Page 2 of 4

REMARKS

Reconsideration is requested in view of the following remarks. Claims 1 and 5-7 remain pending in the application. Applicants note that the Office Action Summary Sheet lists claims 1-9, rather than claims 1 and 5-7, as pending.

Claims 1 and 6 are rejected under 35 USC 103(a) as being unpatentable over Sano et al. (US 2004/0254465) in view of Buxton et al. (US 6,094,197). Applicants respectfully traverse this rejection.

Claim 1 requires a control device to have a function in which an alternative that is selected last is confirmed by moving a cursor to a region outside a pop-up menu.

When conducting an ultrasound examination, a doctor has to use his/her dominant hand to operate the ultrasonic probe and, as a result, the doctor has to use his/her non-dominant hand to manage the cursor. The present control device allows a selection to be confirmed by merely moving the cursor to a region outside a pop-up menu and as a result advantageously provides a simpler and smoother operation of the ultrasonic diagnosis apparatus. This makes the diagnostic process more efficient and less stressful for the doctor.

The rejection conceded that Sano et al. does not appear to explicitly disclose a control device to have a function in which an alternative that is selected last is confirmed by moving a cursor to a region outside a pop-up menu, as required by claim 1. Buxton et al. do not remedy the deficiencies of Sano et al. Instead, Buxton et al. discuss a displayed image of a graphical keyboard, where a user types in characters by tapping on the keys with a pen (see Buxton et al., col. 4, lines 50-55). As clearly shown in Figs. 7-10 in Buxton et al., selection of alternatives is confirmed by releasing the pen from the graphical keyboard. For example, as clearly shown in the first view of Fig. 7 of Buxton et al., to select a lowercase character "a," the user simply taps the desired key. The tapping action allows the lowercase character "a" to be temporarily selected and the selection is not confirmed until the pen is released from the graphical keyboard, as shown in the second view of Fig. 7. As a result, the lowercase character "a" is not entered and the character buffer, which is represented by the small rectangle next to the view of the

Serial No.: 10/586,955
Examiner: Soumya Dasgupta
Reply to Office Action Mailed February 10, 2009
Page 3 of 4

keyboard (see col. 5, lines 44-47), remains empty until the pen is released from the keyboard (see also Buxton et al., col. 4, lines 56-58, col. 5, lines 30-41).

The rejection refers to Figs. 3 of Buxton et al. as suggesting a control device to have a function in which an alternative that is selected last is confirmed by moving a cursor to a region outside a pop-up menu required by claim 1. Applicants respectfully contend that the confirmation of the selection in Buxton et al. is not completed by moving the pen to a region outside the desired key, but is by releasing the pen from the graphical keyboard. The operations in Fig. 3 are further explained in Fig. 8, which shows how a modified character is entered, e.g., modifying an uppercase character by taping on the desired key and making an upward stroke on the desired key (Buxton et al., col. 4, lines 59-60 and col. 5, line 52 to col. 6, line 8). Specifically, as shown in the first view of Fig. 8, to enter the uppercase character "A," the user firstly brings the pen into contact with the key of the character, i.e., "a," to select the character "a." The user then makes an upward stroke toward the topmost row of the keyboard to modify "a" to "A," while "continuing to hold the pen against the keyboard" without releasing the pen from the keyboard, as shown in the second view of Fig. 8. The selection of "A" is confirmed by releasing the pen from the graphical keyboard, as shown in the third view of Fig. 8. As clearly shown in Fig. 8, the selection of "A" is not confirmed and the character buffer remains empty until the pen is released from the keyboard (see Buxton et al., col. 4, line 56 to col. 6, line 8).

Therefore, the present record provides no teaching or suggestions of an alternative being confirmed by moving a cursor to a region outside a pop-up menu, as required by claim 1, much less any reason to expect that the advantages enjoyed by the present invention, e.g., making it easier for a non-dominant hand to manage the cursor, could be achieved.

For at least these reasons, claim 1 is patentable over Sano et al. in view of Buxton et al. Applicants are not conceding the relevance of the rejection to the remaining features of this claim.

Claim 6 is patentable over Sano et al. in view of Buxton et al. for reasons similar to those discussed above. Claim 6 requires a control device to have a function in which

Serial No.: 10/586,955
Examiner: Soumya Dasgupta
Reply to Office Action Mailed February 10, 2009
Page 4 of 4

an alternative that is selected last is confirmed by moving a cursor rightward, leftward, horizontally, upward, downward or vertically in the selected alternative in a pop-up menu. The reference disclosures fail to teach or suggest the control device required by claim 6. For at least these reasons, claim 6 is patentable over Sano et al. in view of Buxton et al. Applicants are not conceding the relevance of the rejection to the remaining features of this claim.

Claims 5 and 7 are rejected under 35 USC 103(a) as being unpatentable over Sano et al. in view of Buxton et al. and further in view of Alexander (US 6,049,325). Applicants respectfully traverse this rejection.

Claims 5 and 7 depend from claims 1 and 6, respectively, and are patentable over Sano et al. in view of Buxton et al. and further in view of Alexander for at least the same reasons discussed above regarding claims 1 and 6. Alexander does not remedy the deficiencies of Sano et al. in view of Buxton et al. Applicants are not conceding the relevance of the rejection to the remaining features of the rejected claims.

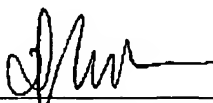
In view of the above, favorable reconsideration in the form of a notice of allowance is respectfully requested. Any questions regarding this communication can be directed to the undersigned attorney, Douglas P. Mueller, Reg. No. 30,300, at (612) 455-3804.

Respectfully submitted,

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Dated: May 8, 2009

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